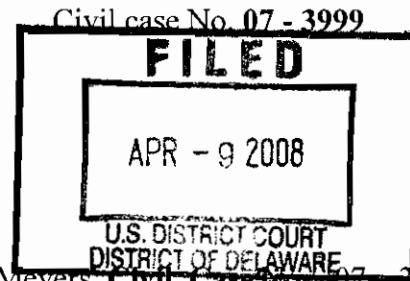


FILE COPY
07-525

Dennis L. Smith
P.O. Box 311
Selbyville, Delaware 19975

April 4, 2008

Office of the Clerk
Ms. Marcia M. Waldron
United States Court of Appeals
for the Third Circuit
21400 United States Court House
601 Market Street
Philadelphia, PA 19106 – 1790
Certified -7007 0220 0001 0621 8181



Re: Mr. Dennis L. Smith vs. Ms. Patricia A. Meyers Civil Case No. 07 - 3999.
This letter is concerning Mr. Smith's "Notice of Substantive Motion for Stay" **COPIES ENCLOSED as EVIDENCE**, because the U.S. District Court's Judge Joseph J. Farnan Jr., continue with his civil case No. 07 – 525 – JJF, **WITHOUT JURISDICTION** after fact, I (Petitioner) **PAID** and **Appeal** this case to the United States Court of Appeals 03rd Judicial Circuit. (We **must** not forget **42 U.S.C.A § 1981(a)**.)

Dear Clerk Ms. Waldron.:

This "Notice of Substantive Motion for Stay" was filed with the U.S. District Court on April 3, 2008, to stop Judge Joseph J. Farnan Jr's **illegal Ruling**, which is **before April 1, 2008**.

Therefore, I am sending three (3) enclosed copies of this same "Notice of Substantive Motion for Stay" as EVIDENCE and for the record. (Copies to the U.S. District Court will be **STAMPED** copy, for their record.)

{1}. First of all, concerning civil case No. 07- 525 – JJF; Judge Joseph J. Farnan Jr filed his (D.I. 4) Memorandum Order on **September 11, 2007**, which is also dated same. Therefore, base on the CONCLUSION of this "FINAL ORDER" and the fact that Judge Farnan Jr clearly stated and I quote, " The Court **does not** have **JURISDICTION** over his **claims**. Notably, Plaintiff's **claims** are **oneS** where state law, **not federal law**, predominates." See this Order's page **No. 6**, attached as ----- Exhibit A

Therefore, on October 9, 2007, I **Appealed** this civil case No. 07- 525 – JJF **FROM the** U.S. District Court, **TO the** United States Court of Appeals 03rd Judicial Circuit. This Court gave me a civil case No. 07 – 3999. This Court's last response to date, is concerning their letter dated **December 20, 2007**, which also, stated and I quote, " **Upon further review**, it appears that it would not be appropriate to submit this **appeal** to the Court for possible jurisdictional dismissal **as you were originally advised** by our letter of **October 18, 2007**. **Rather**, it appears that your **appeal** may be appropriate for possible **summary action**." Also, this same December 20, 2007, letter stated and I quote, " Issuance of the **briefing schedule** will be **stayed pending action by**

Clerk Ms. Waldron
April 4, 2008
Page # 2

the Court. All parties are hereby advised that this letter does not represent a finding of appellate jurisdiction in this case. As in all cases, the panel of this Court which reviews the case on its merits will make a final determination of appellate jurisdiction.” This December 20, 2007 letter is attached as ----- **Exhibit B**

{2}. On January 11, 2008, my dated January 10, 2008 “ **Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion of Modify** ” was filed on record, with this Court of Appeals **03rd Judicial Circuit**.

On **March 31, 2008**, by docket No. **07 – 3999** and on or about **April 1, 2008**, by the **Legal – Division**, it was affirmed that this Court of Appeals **03rd Judicial Circuit** have **NOT** Ruled on the **JURISDICTION** issue as mentioned above concerning their letter dated December 20, 2007, **and** have **NOT** Ruled on my “ **Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion of Modify** ”, which is also as mentioned above.

Therefore, only the United States Court of Appeals **03rd Judicial Circuit** has **JURISDICTION** concerning my civil case No. **07 – 3999** **UNTIL** this Court “...make a **final determination of appellate jurisdiction”** but, has not as of **April 1, 2008**.

{3}. Furthermore, the United States Court of Appeals **03rd Judicial Circuit**, on **01 / 11 / 2008 FILED** my “ Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion to Modify ” which enclosed my **Certificate of Service** dated **1 / 10 / 08**. This Court’s docket clearly indicates the same and I quote, “ ... Certificate of Service dated **1 / 10 / 08**.”

This **Certificate of Service affirms** that this Motion was **addressed to:** and I quote, “ I hereby **certify** that the **ORIGINAL** and **THREE** copies of my **Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion to Modify** dated January 10, 2008 have been certified mailed or hand delivered on this **10** day of January 2008, **to the United States Court of Appeals,... .** Other addresses on this **Certificate** as indicated, is **only** for **COURTESY COPIES / NOTICE** issues, and the **U.S. District Court** was **also ONE.**

The **United States District Court**’s letter dated **January 11, 2008**, also **affirms** that **JURISDICTION** belongs to **United States Court of Appeals** and I quote, “ Enclosed please find a copy of **Appellant’s** “ **Interlocutory Appeal Status (VIA) 28 U.S.C.A sec 2106 Emergency Motion to Modify** ” which was **erroneously** filed with the District Court on January 11, 2008.” For the record, this “ **Interlocutory Appeal** ” was filed as indicated in the paragraph just mentioned above, which **proves the TRUTH**. This January 11, 2008 letter is attached as ----- **Exhibit C**

My **Certified RETURN receipt No. 7099 3400 0006 3815 8845** and dated **January 11, 2008**, is proof concerning the date that the U.S. District Court also receive my “ **Interlocutory Appeal** ” (**D.I. 12**). **Certified RETURN receipt** , attached as ----- **Exhibit D**

Clerk Ms. Waldron
April 4, 2008
Page # 3

See, the **United States District Court's** docket 07 – 525 - JJF and its (**D.I. 12**), filed on **January 11, 2008** concerning my “ Interlocutory Appeal Status (VIA) 28 U.S.C.A sec 2106 Emergency Motion to Modify ”, which is attached as ----- **Exhibit E**

--- SUMMARY - CONCLUSION ---

“ **UPON FURTHER REVIEW** ” and **RESEARCH** therefore, I now understand the **TRUTH** as follows: **The United States Court of Appeals** 03rd Judicial Circuit’s letter dated **December 20, 2007**, clearly states and I again quote, “ **Upon further review**, it appears that it would not be appropriate to submit this appeal to the Court for possible jurisdictional dismissal **as you were originally** advised by our letter of October 18, 2007. **Rather**, it appears that your appeal may be appropriate for **POSSIBLE summary action.** ” Also, my “ Interlocutory Appeal Status (VIA) **28 U.S.C.A § 2106** EMERGENCY Motion to Modify ” **REQUEST**, which was filed on 1 / 11 / 2008, **BOTH** of these issues are still **PENDING**.

Therefore, civil case No. 07 – 525 is part of my Interlocutory Appeal **REQUEST** under the **JURISDICTION** of this Court of Appeals’ civil case No. 07 – 3999, **BECAUSE** this Court of Appeals **have not** made “... a **FINAL** determination of appellate **JURISDICTION** and/or **RULING** as of **April 1, 2008**, which is affirmed.

VS.

WITHOUT JURISDICTION “ DETERMINATED ” and/or RULING from the United States Court of Appeals

Judge Joseph J. Farnan Jr continued without **Jurisdiction** and violated **Federalized Code 28 U.S.C.A. § 144.**, in which – which is **clearly United States Law(s)**.

Judge Joseph J. Farnan Jr’s illegal Memorandum Order is in violation of **Federalized Code 28 U.S.C.A. § 144.**, this same Order is **deceitful** therein and **backdated** to indicate a false date of **March 5, 2007**, which will appear on Court record, as if Judge Farnan Jr. did not violate **Federalized Code 28 U.S.C.A. § 144.** In the **footnotes of this illegal Order** Judge Farnan Jr’s states and I quote, “ Plaintiff contends that both of his filings (**D.I. 15, 16**) are meant to be part of his Interlocutory Appeal, USCA 07 – 3999, even though they were filed in this Court. Plaintiff, of course, retains the option of filing his papers with the Court of Appeals for the Third Circuit if he wishes to present them in the forum.” (**Keep in mind**, this Interlocutory Appeal **REQUEST have NOT been GRANTED** as of **April 1, 2008.**)

Continue on page **6** *LL*

Clerk Ms. Waldron
April 4, 2008
Page # *4 DS*

NOTE: Again, my Interlocutory Appeal REQUEST under the JURISDICTION of this Court of Appeals' civil case No. 07 – 3999 is still PENDING as of April 1, 2008.

Judge Joseph J. Farnan Jr illegally and deceitfully claimed JURISDICTION to illegally keep civil case No 07 – 525 – JJF OPEN which illegally helped Respondent(s). Also Judge Farnan Jr violated Federalized Code(s) as indicated below and --- **THIS IS THE POINT, WHICH I WAS INITIALLY DECEIVED, BELOW:**

1. Without Jurisdiction – JJF, Ordered me to answer his " Show Cause Order " dated **January 22, 2008** concerning Rule " 4(m)", and gave me a deadline to answer by February 15, 2008. { Based on this deceitful bold act, therefore, I believed this DESIGNED FALSE DELUSION, that my Interlocutory Appeal was GRANTED, which I later found NOT TRUE. }

" Upon further Review ", of U.S. District Court's docket 07 – 525 – JJF (D.I.12) , I founded that I needed to CORRECT page four (4) of my " Notice of Substantive Motion for Stay. " Also, if any other pages were founded with same ERRORS, therefore please understand them to be corrected in accordance with this corrected page four (4). This corrected page four (4), attached as ----- **Exhibit F**

2. On **February 15, 2008**, I responded to this " Show Cause Order " as pointed out, in my **Sufficient Affidavit (D.I. 15)** and its Clarification (D.I. 16), but first of all, in these documents, I pointed out Federalized Code **28 U.S.C.A § 144**. and I quote, " Requesting that Judge Joseph J. Farnan Jr to Proceed No Further / **28 U.S.C.A § 144., in this case... ,** of which clearly MANIFESTED WORDING, which he twisted and violated.
3. Without Jurisdiction – JJF, made an illegal RULING in his illegal Memorandum Order (**D.I. 17**) which is backdated to falsely indicate March 5, 2007, for public record. This illegal Ruling was truly done on March 5, 2008, without JURISDICTION " DETERMINATED " and/or RULING from the United States Court of Appeals as just mentioned above under this quote, " **WITHOUT JURISDICTION DETERMINATED** " and/or RULING from the United States Court of Appeals." --- (Again, Keep in mind, this Interlocutory Appeal REQUEST have NOT been GRANTED as of **April 1, 2008**.)

Clerk Ms. Waldron
April 4, 2008
Page # *5 PL*

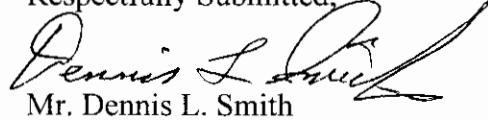
Summary -Conclusion

I only want Federalized Code **42 U.S.C.A § 1981(b)**., Federally enforced concerning unrealistic malfeasance – like, act(s); of Ms. Patricia A. Meyers and my mutual July 12, 2006 agreement which contain in writing our mutual October 27, 2003 agreed Power of Attorney to complete my AGREED Obligations under the Law as Federalized Code **42 U.S.C.A § 1981(a)**., also allows Equal Justice regardless of **Race / Color**.

Also, please see; my “**Substantive Motion for STAY**” in which legally demonstrate(s) the intentional ungodliness of Ms. Patricia A. Meyers’ unlawful fictitious absurd, superficial **PURPORTED , SALE** of the “**2.5 – / + acres parcel B**”; that I have still legal – still continuing, lawful viable mutually – mandated OBLIGATION(S) to fulfill as legally written, see; Ms. Patricia A. Meyers and my July 12, 2006 mutual agreement, which contains in writing our mutual agreed Power of Attorney. This July 12, 2006 mutual agreement must be enforce under Federalized Code **42 U.S.C.A § 1981(b)**., to complete my OBLIGATION(S) the same as Federalized Code **42 U.S.C.A § 1981(a)**., also allows, as a matter of Law.

BASED, “Upon further review ” from the United States Court of Appeals **03rd Judicial Circuit**, concerning civil case No. **07 – 3999**, therefore, in this Court’s **December 20, 2007** letter it was made very clear that, my (Appellant’s) “... Appeal may be appropriate for possible **SUMMARY ACTION**.” This fact, also **AFFIRMED** on **April 1, 2008**.

Respectfully Submitted,


Mr. Dennis L. Smith

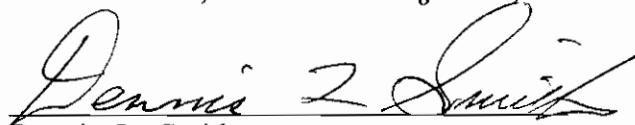
Cc: See Attached “**Certificate of Service**”

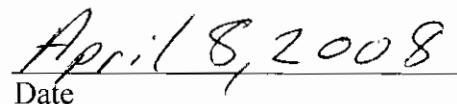
**In And For
The 03rd Judicial Circuit
Of
These United States**

Mr. Dennis L. Smith Sr. :
Appellant, : C.A. No. 07 - 3999
vs. :
Ms. Patricia A. Meyers, and her son : Re; Equal - Right(s);
Mr. Mack L. Davis Jr., and all of her : In ref: Vindication of civil Right(s)
sibling(s), : Here - under; 42 U.S.C.A § 1988.
Mr. Steven S. Krebs, and his mother : This is not a lawsuit. The sole purpose
Ms. Barbara Krebs and any other : of this is to simply constitutionally
person(s) who Attempt, to "ILLEGALLY" : enforce 42 U.S.C.A. § 1981(b). under
- "OBSTRUCT - Power of Attorney : the Law.
Document Book / No. 00776 page; :
041 Legal Dated 10-27-03 of the :
Sussex County Delaware Office of the :
{Incumbent} recorder of Deed(s) } :
Appellee(s). :
:

AFFIDAVIT OF DENNIS L. SMITH

The, preceding - indelible truthful – statement(s) in my **Letter dated April 4, 2008 ,**
Certified -7007 0220 0001 0621 8181, are true to the best of my knowledge and belief(s);
of; Dennis L. Smith and are in full vehement compliance / Compliance(s) Here- with /
Here – under; **28 U.S.C.A. § 1746, and 18 U.S.C.A. § 1621.**


Dennis L. Smith


Date

CERTIFICATE OF SERVICE

I hereby certify that the original and three copies my **Letter dated April 4, 2008 , Certified -7007 0220 0001 0621 8181**, have been certified mailed or hand delivered on this 8 day of April 2008, to the United States Court of Appeals, Thrid Circuit and to Appellee(s) at the following addresses below:

The Third Judicial – Circuit of Federal – Appeal(s)
Ms. Marcia M. Waldron
21400 United States “Court – House”
601 Market Street
Philadelphia, PA 19106 – 1790
Certified Mail No. 7007 0220 0001 0621 8181

Mr. Peter T. Dalleo
Office of the Clerk
United States District Court
844 N. King Street, Lockbox 18
Wilmington, Deaware 19801 - 3570
Certified Mail No. 7007 0220 0001 0621 8273

Ms. Patricia A. Meyers, and her Son,
Mr. Mack L. Davis Jr., and
all of her sibling(s)
RR 4 Box 103A
Frankford, Delaware 19945
Certified Mail No. 7007 0220 0001 0621 8266

Mr. Steven S. Krebs and
his Mother Ms. Barbara Krebs
P.O. Box 796
Selbyville, Delaware 19975
Certified Mail No. 7007 0220 0001 0621 8259

For Verification purpose(s) only;
John Brady
Recorder of Deeds
2 The Circle
P. O. Box 827
Georgetown, Delaware 19947
Certified Mail No. 7007 0220 0001 0621 8198

All mentioned above, certified mailed or hand Delivered by Dennis L. Smith.

Dennis L. Smith

*Exhibit A***IV. Discussion**

The Court has reviewed the exhibits Plaintiff his Motion. After reviewing the same and carefully reviewing his Motion, it is clear that Plaintiff's real issues concern real property to which he believes he is entitled, and P. Meyers's decision to revoke the Power Of Attorney she gave to Plaintiff.

The Court does not have jurisdiction over his claims. Notably, Plaintiff's claims are ones where state law, not federal law, predominates. Hence, the matters should be decided by the State Court. Moreover, Plaintiff makes vague allegations of, and seeks to prevent, the following: slander, defamation, false outbursts, false statements, issuance of outrageous and absurd documents by P. Meyers, false arrests, the sale or lease of the property at issue, S. Krebs from speaking to Plaintiff, and hateful acts, conspiracy or frame-up by S. Krebs and Defendant Barbara Krebs. Again, most of the foregoing concern State law issues and are better decided by the State Court.

In a failing attempt to state a claim under § 1981, Plaintiff makes a passing reference to race discrimination by referring to himself as a black man who helped a white female win a court case. Nothing indicates, however, that there was an intent to discriminate against Plaintiff on the basis of his race. Plaintiff also refers to the § 1985 conspiracy statute, but other than seeking to restrain Defendants from conspiring

OFFICE OF THE CLERK - LEGAL DIVISION
UNITED STATES COURT OF APPEALS

Exhibit B

21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790

MARCI A. WALDRON

CLERK

December 20, 2007

Telephone
(215-597-2378)

Mr. Dennis Lee Smith
P.O. Box 311
Selbyville, DE 19975

Re: **Smith v. Meyers**
C.A. No. 07-3999
(D. Del. Civ. No. 07-cv-00525)

Dear Mr. Smith:

Upon further review, it appears that it would not be appropriate to submit this appeal to the Court for possible jurisdictional dismissal as you were originally advised by our letter of October 18, 2007. Rather, it appears that your appeal may be appropriate for possible summary action. Chapter 10.6 provides that the Court sua sponte (by its own action) may take summary action on an appeal if it appears that no substantial question is presented or that subsequent precedent or a change in circumstances warrants such action. Specifically, the Court may affirm, reverse, vacate, modify, or remand the judgment or order appealed.

The parties may submit written argument in support of or in opposition to such action. Any response must be received in the Clerk's Office within twenty-one (21) days from the date of this letter. Please submit to the Clerk an original and three (3) copies of any response, and a certificate of service indicating that all parties have been served with a copy of the response. All parties will be advised of any Order(s) issued in this matter.

Issuance of the briefing schedule will be stayed pending action by the Court. All parties are hereby advised that this letter does not represent a finding of appellate jurisdiction in this case. As in all cases, the panel of this Court which reviews the case on its merits will make a final determination of appellate jurisdiction.

Very truly yours,

/s/ Laura L. Greene
LAURA L. GREENE
Staff Attorney

(Continued)

Exhibit C

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dalleo
CLERK

LOCKBOX 18
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

January 11, 2008

Clerk, U.S. Court of Appeals
Room 21400 U.S. Courthouse
Independence Mall West
601 Market Street
Philadelphia, PA 19106

Re: **Delaware** Case No. CA 07-525 JJF
USCA No.: 07-3999
Smith v. Meyers, et al

Dear Clerk:

Enclosed please find a copy of Appellant's "Interlocutory Appeal Status (VIA) 28 U.S.C.A. sec. 2106 Emergency Motion to Modify" which was erroneously filed with the District Court on January 11, 2008.

Sincerely,

Peter T. Dalleo, Clerk

By: /s

Bob Cruikshank
Deputy Clerk

PTD:rc
encl.

cc: The Honorable Joseph J. Farnan, Jr.
Dennis L. Smith

Exhibit D

| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION ON DELIVERY | |
|--|--|--|--|
| <ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. | | A. Received by (Please Print Clearly) | B. Date of Delivery |
| | | <input checked="" type="checkbox"/> Signature  | <input type="checkbox"/> Agent <input type="checkbox"/> Addressee |
| | | D. Is delivery address different from item 1? If YES, enter delivery address below:  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 1. Article Addressed to: Mr. Peter T. Dallas Office of the Clerk United States District Court 44 N. King Street, Lockbox 18 Arlington, Del. 19801-3570 | | 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | 102595-90-M-0952 |
| 2. Article Number (Copy from service label) 1099 3400 0006 3815 8845 | | Domestic Return Receipt | ----- |
| PS Form 3811, July 1999 | | | |

CM/ECF LIVE - U.S. District Court:ded

Page 2 of 3

Exh. b-f E

| | | |
|------------|-----------|---|
| 08/30/2007 | <u>3</u> | Notice of Availability of a U.S. Magistrate Judge to Exer (els) (Entered: 08/30/2007) |
| 08/30/2007 | | No Summons Issued (els) (Entered: 08/30/2007) |
| 09/05/2007 | | Case assigned to Judge Joseph J. Farnan, Jr. Please include the Judge (JJF) after the case number on all documents filed. (Entered: 09/05/2007) |
| 09/11/2007 | <u>4</u> | MEMORANDUM ORDER DENYING D.I. 2 MOTION for Temporary Restraining Order (See Order for Details). Signed by Judge Joseph J. Farnan, Jr. on 9/11/2007. (lec) (Entered: 09/12/2007) |
| 10/09/2007 | <u>5</u> | NOTICE OF APPEAL of <u>4</u> Memorandum Order. Appeal filed by Dennis Lee Smith. Filing fee \$ 455. Fee Paid. Receipt No.: 149129. TPO issued. (rwc) (Entered: 10/10/2007) |
| 10/09/2007 | <u>6</u> | MOTION to Stay - filed by Dennis Lee Smith. (rwc) Additional attachment(s) added on 10/11/2007 (rwc,). (Entered: 10/10/2007) |
| 10/11/2007 | <u>7</u> | MULTI MEDIA DOCUMENT filed by Dennis Lee Smith in the form of a audiocassette. Filing related to <u>6</u> MOTION to Stay. (Media on file in Clerk's Office). (rwc) (Entered: 10/11/2007) |
| 10/16/2007 | <u>8</u> | NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>5</u> Notice of Appeal filed by Dennis Lee Smith. USCA Case Number 07-3999. USCA Case Manager: Tonya Wyche (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (tw,) (Entered: 10/16/2007) |
| 10/16/2007 | <u>9</u> | AMENDMENT/CORRECTION to DOCUMENT - filed by Dennis Lee Smith. (Correction to Page 2 and Page 10 re: <u>6</u> MOTION to Stay). (rwc) (Entered: 10/17/2007) |
| 11/06/2007 | <u>10</u> | Letter to Clerk, USCA 3rd Circuit from Dennis L. Smith dated 11/2/07 in further support of appeal - re <u>5</u> Notice of Appeal. (rwc) (Entered: 11/06/2007) |
| 11/06/2007 | <u>11</u> | SECOND AMENDMENT/CORRECTION to DOCUMENT - filed by Dennis Lee Smith. (Correction to Page 2) re: Motion <u>6</u> to Stay (Entered: 11/07/2007) |
| 01/11/2008 | <u>12</u> | Letter to Clerk, USCA 3rd Circuit from Deputy Clerk, dated 1/11/08 regarding forwarding of Dennis Smith's "Interlocutory Appeal Status (VIA) 28 U.S.C.A. sec. 2106 Emergency Motion to Modify" to USCA. (rwc) (Entered: 01/11/2008) |
| 01/14/2008 | <u>13</u> | Letter to Clerk, USCA 3rd Circuit, from Dennis L. Smith dated 1/10/08 regarding Emergency Motion to Change Appeal. (rwc) (Entered: 01/15/2008) |
| 01/22/2008 | <u>14</u> | ORDER TO SHOW CAUSE why this case should not be dismissed for failure to serve process. Show Cause Response due by 2/15/2008. Signed by Judge Joseph J. Farnan, Jr. on 1/22/08. (dab) (Entered: 01/22/2008) |

Exhibit F

On March 5, 2008, concerning civil case No. **07 - 525 - JJF** docket, which confirms, that this civil case is **DISMISSED** and "**CASE CLOSED**" also, which was **only** after Judge Farnan Jr **first** have done the following, TRICK / DECEIT to me, as follows below.

See this docket, attached as ----- **Exhibit D**

--- CORRECTED SECTION BELOW ---

Therefore, based on Judge Joseph J. Farnan Jr's "**Show Cause Order**" (D.I. 14) dated **January 22, 2008**, I believed that my "**Interlocutory Appeal**" was GRANTED, giving Judge Farnan Jr. **JURISDICTION** by the **Court of Appeals 03rd Judicial Circuit**, so that Judge Farnan Jr. may Order me to answer his Show Cause Order. **Based** on this belief, **therefore I answered this Show Cause Order as** pointed out below in this Motion, **BUT** later I found that I was **tricked / deceived**, because Judge Joseph J. Farnan Jr **did not** have **JURISDICTION** for his **ILLEGAL / UNFAIR** "Show Cause Order" on January 22, 2008, and also Judge Joseph J. Farnan Jr **did not** have **JURISDICTION** for his illegal and backdated Memorandum Order, which is **falsely** dated March 5, 2007.

See U.S. District Court's docket, attached as ----- **Exhibit E**

Also, see U.S. District Court JJF's illegal "Show Cause Order" ----- **Exhibit F**

Furthermore, concerning the trick / deceit of Judge Farnan Jr. wrongfully applying **RULE 4(m)** to my, **and only to my initial AFFIDAVIT / Motion dated August 30, 2007**, which **also lead to my responses, including** my response to Judge Farnan Jr's **Show Cause Order** as just mentioned. **Therefore, Please Take Notice, of my RESPONSES in the following Statement of Facts # 1, # 2 and # 3 listed below:**

STATEMENT OF FACTS - # 1

Dennis L. Smith
P.O. Box 311
Selbyville, Delaware 19975

FILE COPY

FILE COPY



7007 0220 0001 0621 8273



6.50
Selbyville, DE
06217
Hancock
\$6.62

Mr. Peter T. Dalleo
Office of the Clerk
United States District Court
844 N. King Street, Lockbox 18
Wilmington, Deaware 19801 - 3570
Certified Mail No. 7007 0220 0001 0621 8273